REMARKS

Reconsideration of the present application is respectfully requested. Claims 1-21 have been canceled. Claims 22-53 are newly added. No new matter has been added.

Previously pending claims 1, 2, 5-9, 12-16 and 19-21 (now canceled) were rejected under 35 U.S.C. § 103(a) based on Tamayo et al., U.S. Patent Application No. 2002/0083067 ("Tamayo") in view of Biffar, U.S. Patent No. 6, 397,212 ("Biffar") and in view of Kassel, "The Last Word on Web Monitoring and Clipping Services", Searcher, Sept. 2000, p. 24 – 35, Proquest ("Kassel").

It is noted that Tamayo claims the benefit of a provisional filing date of September 28, 2000, which is approximately four months before the filing date of the present application. Applicants reserve the right to swear behind Tamayo in a subsequent response to Office Action, if Applicants consider it necessary or desirable to do so.

Applicants respectfully traverse the rejections. The amendments to the claims are made only to place the claims in what Applicants consider to be better form. The amendments are <u>not</u> made in response to the rejections or to comply with any statutory requirement of patentability, since no such amendments are believed to be necessary in response to the cited art. Note that certain claim limitations in the previously pending independent claims that are not necessary for patentability are not included in the new independent claims.

New claim 22 recites:

22. (New) A method comprising:

aggregating data gathered from a plurality of networked sources, wherein the data includes a plurality of documents;

cleaning the aggregated data **by removing superfluous data elements, including navigational and advertising elements, and extracting metadata and an actual body of a document from the aggregated data;**

storing the cleaned data in a database;

receiving a set of search criteria, submitted by a user, for performing a search, **the set of search criteria including a criterion assigning a weight to a particular networked source of data;**

generating a data analysis from the stored cleaned data, **based on the set of search criteria submitted by the user;**

generating a reporting analysis based on results of the data analysis; and

formatting the reporting analysis in accordance with previously obtained user preferences. (Emphasis added.)

The cited references, either individually or in combination, do not disclose or even suggest such a method. In particular, the cited references, whether taken individually or in combination, do not disclose <u>any</u> of the following claim limitations:

1) receiving a set of search criteria, submitted by a user, for performing a search, the set of search criteria including a criterion assigning a weight to a particular networked source of data;

2) generating a data analysis from the stored cleaned data, based on the set of search criteria submitted by the user.

3) removing superfluous data elements, including navigational and advertising elements;

4) extracting metadata and an actual body of a document from the aggregated data;

Each of these claim limitations will now be discussed in detail.

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1) Receiving a set of search criteria, submitted by a user, for performing a search, the set of search criteria including a criterion assigning a weight to a particular networked source of data.

Each of the independent claims includes essentially this limitation. The Examiner admits that "Tamayo et al. fail to teach . . . receiving a set of search criterion including criterion giving greater or lesser weight to data gathered from certain of the networked sources submitted by a user." (Office Action, pp. 4-5) However, the Examiner cites Buffar for such teaching. The Examiner responds to Applicants' arguments on this issue as follows (Office Action, p. 2-3):

> In Response, Biffar teaches a method by which the search parameters for the next search can be changed by the user. The action may be executed by a variety of methods, such as a pull down menu, yes and no questions, multiple choice questions, and/or ratings. A locking function allows the user to lock in characteristics , which are desired. The user can also unlock characteristics (Biffar: col. 6, lines 31-49). Clearly, ratings relate to the user selecting information that is more important than other information, therefore, is weighting the desired information over the undesired information.

This claim feature recites that a criterion assigning a weight to <u>a particular source of data</u> is specified <u>by the user</u>, as part of criteria for performing a search. In contrast, the disclosure in Biffar cited by the Examiner refers only to the ability of a user to rate an overall search result. See Biffar at col. 3, lines 39-41; col. 6, lines 62-67. Although such a rating can apparently be used by the system to better customize a future search, Biffar does not disclose or even remotely suggest that a user can directly assign a weight to any particular source of data, in user-specified criteria for performing a search.

For at least this reason, therefore, all claims are patentable over the cited art.

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2) Generating a data analysis from the stored cleaned data, based on the set of search criteria submitted by the user.

Each of the independent claims includes essentially this limitation. None of the references discloses or suggests generating a data analysis from stored cleaned data (aggregated from multiple network sources), <u>based on the set of search criteria submitted by the user</u> (see discussion above). For at least this additional reason, therefore, all claims are patentable over the cited art.

3) Removing superfluous data elements, including navigational and advertising elements.

Each of the independent claims includes essentially this limitation. The Examiner admits that "Tamayo et al. do not teach removing navigational and advertising elements." (Office Action, p. 4) Applicants agree. However, the Examiner goes on to state, "[H]owever, the navigational and advertising elements are considered non-functional descriptive material as indicated above in that they do not exhibit any functional interrelationship with the way in which the computing processes are performed." (Id.)

Applicants respectfully submit that whether or not navigational and advertising elements are non-functional descriptive material is <u>not relevant</u> to a prior art rejection. It appears that the Examiner may have mistakenly applied principles that relate to analysis under 35 USC § 101 (statutory subject matter).

What is relevant is that none of the references discloses or suggests removing navigational and advertising elements from data aggregated from multiple network sources. In fact, Tamayo in paragraph [0058] specifically <u>teaches away</u> from such

functionality, by disclosing that "Examples of the types of the customized and/or personalized information" that can be presented to a user "include . . advertisements . . .." (Emphasis added.) Thus, Tamayo teaches <u>including</u> advertisements in data presented to the user, as opposed to cleaning advertisements out of data. As stated, none of the references discloses or suggests removing navigational and advertising elements from data aggregated from multiple network sources, as part of a data cleaning process.

For at least this additional reason, therefore, all claims are patentable over the cited art.

4) Extracting metadata and an actual body of a document from the aggregated data.

Each of the independent claims includes essentially this limitation. The Examiner admits that "Tamayo et al. fail to teach extracting the actual body of a document" (Office Action, p. 4, last paragraph), but states that "Web-server data is considered metadata" (Office Action, p. 4, first paragraph).

Applicants agree that Tamayo fails to teach (among other things) extracting the actual body of a document. While the Examiner cites Biffar generally for the limitation relating to receiving a set of search criterion (Office Action, p. 4), Applicants do not find any assertion in the Office Action that Biffar or any other reference discloses <u>extracting the actual body of a document</u>. In fact, Applicants find no disclosure or suggestion, in any of the cited references, of extracting <u>metadata and an actual body of a document</u> from data aggregated from multiple network sources.

For at least this additional reason, therefore, all claims are patentable over the cited art.

Thus, it can be seen that the cited combination of references fails to disclose or suggest at least four separate limitations in each of Applicants' independent claims.

Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.
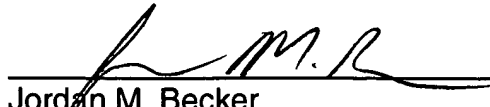
Conclusion

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,
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